

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC., )  
Plaintiff, )  
vs. ) Case No. 2:22-cv-203-JRG-RSP  
MICRON TECHNOLOGY, INC.; MICRON ) JURY TRIAL DEMANDED  
SEMICONDUCTOR PRODUCTS, INC.; )  
MICRON TECHNOLOGY TEXAS LLC, )  
Defendants. )

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**DECLARATION OF MICHAEL R. RUECKHEIM  
IN SUPPORT OF  
DEFENDANTS' REPLY IN SUPPORT OF ITS MOTION FOR  
RECONSIDERATION OF THE COURT'S AUGUST 29, 2023 ORDER [ECF  
158] GRANTING-IN-PART AND DENYING-IN-PART DEFENDANTS'  
MOTION TO COMPEL PRODUCTION OF CERTAIN MATERIALS  
FROM NETLIST'S SK HYNIX LITIGATION AND NEGOTIATION  
DOCUMENTS [ECF 135]**

I, Michael R. Rueckheim, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn LLP, counsel of record for Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively, “Micron”) in the above captioned matter. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron’s Reply In Support Of Its Motion For Reconsideration Of The Court’s August 29, 2023 Order [ECF 158] Granting-In-Part And Denying-In-Part Defendants’ Motion To Compel Production Of Certain Materials From Netlist’s sk Hynix Litigation And Negotiation Documents [ECF 135]. I have personal knowledge of the facts stated herein and could and would testify competently thereto if called as a witness in this matter.

2. On January 10, 2023, Micron served a document request letter on counsel for Netlist requesting, *inter alia*:

55. All documents and things Netlist produced or relied upon (including, without limitation, any briefs, supporting exhibits, deposition transcripts, and expert reports) in *Netlist, Inc. v. Samsung Electronics Co., Ltd.*, 2:21-cv-00463 (E.D. Tex.) or *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, 1:21-cv-01453 (D. Del.).

56. Netlist’s responses to discovery requests in *Netlist, Inc. v. Samsung Electronics Co., Ltd.*, 2:21-cv-00463 (E.D. Tex.) or *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, 1:21-cv-01453 (D. Del.).

3. Micron requested *Samsung* litigation material multiple times. Netlist produced the some of the requested materials as part of a document dump of 87,850 bates-stamped pages and other non-bates stamped documents, source code, deposition exhibits, transcripts and videos in June 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on October 4, 2023, in Redwood City, California.

By: */s/ Michael R. Rueckheim*  
Michael R. Rueckheim